§ 422-b. Local and regional fatality review teams. 1. A fatality review team may be established at a local or regional level, with the approval of the office of children and family services, for the purpose of investigating the death of any child whose care and custody or custody and guardianship has been transferred to an authorized agency, other than a vulnerable child as defined in article eleven of this chapter, any child for whom child protective services has an open case, any child for whom the local department of social services has an open preventive services case, and in the case of a report made to the statewide central register of child abuse and maltreatment involving the death of a child. A fatality review team may also investigate any unexplained or unexpected death of any child under the age of eighteen.

2. A local or regional fatality review team may exercise the same authority as the office of children and family services with regard to the preparation of a fatality report as set forth in paragraphs (b) and (c) of subdivision five of section twenty of this chapter. Notwithstanding any other provision of law to the contrary and to the extent consistent with federal law, such local or regional fatality review team shall have access to those client-identifiable records necessary for the preparation of the report, as authorized in accordance with paragraph (d) of subdivision five of section twenty of this chapter. A fatality report prepared by a local or regional fatality review team and approved by the office of children and family services satisfies the obligation to prepare a fatality report as set forth in subdivision five of section twenty of this chapter. Such report shall be subject to the same redisclosure provisions applicable to fatality reports prepared by the office of children and family services.

3. For the purposes of this section, a local or regional fatality review team must include, but need not be limited to, representatives from the child protective service, office of children and family services, county department of health, or, should the locality not have a county department of health, the local health commissioner or his or her designee or the local public health director or his or her designee, office of the medical examiner, or, should the locality not have a medical examiner, office of the coroner, office of the district

attorney, office of the county attorney, local and state law enforcement, emergency medical services and a pediatrician or comparable medical professional, preferably with expertise in the area of child abuse and maltreatment or forensic pediatrics. A local or regional fatality review team may also include representatives from local departments of social services, mental health agencies, domestic violence agencies, substance abuse programs, hospitals, local schools, and family court.

4. A local or regional fatality review team established pursuant to this section shall have access to all records, except those protected by statutory privilege, within twenty-one days of receipt of a request.

5. Members of a local or regional fatality review team, persons attending a meeting of a local or regional fatality review team, and persons who present information to a local or regional fatality review team shall have immunity from civil and criminal liability for all reasonable and good faith actions taken pursuant to this section, and shall not be questioned in any civil or criminal proceeding regarding any opinions formed as a result of a meeting of a local or regional fatality review team. Nothing in this section shall be construed to prevent a person from testifying as to information obtained independently of a local or regional fatality review team or which is public information.

6. All meetings conducted and all reports and records made and maintained, and books and papers obtained, by a local or regional fatality review team shall be confidential and not open to the general public except by court order and except for an annual report or a fatality report, if the fatality review team chooses to complete such an annual report or fatality report. The release of any fatality report prepared by a local or regional fatality review team shall be governed by the provisions of subdivision five of section twenty of this chapter. Any such annual report or fatality report shall not contain any individually identifiable information and shall be provided to the office of children and family services upon completion. The office of children and family services shall forward copies of any such report to

all other local or regional fatality review teams established pursuant to this section, to all citizen review panels established pursuant to section three hundred seventy-one-b of this chapter, and to the governor, the temporary president of the senate and the speaker of the assembly.